

Members

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ENVIRONMENTAL QUALITY SERVICE COUNCIL

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Authority: P.L. 248-2001 (SEA 121)

MEETING MINUTES¹

Meeting Date: August 8, 2002
Meeting Time: 1:00 P.M.
Meeting Place: State House, 200 W. Washington St.,
Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Rep. Jonathan Weinzapfel, Chairperson; Rep. Richard Mangus; Rep. David Wolkins; Sen. Kent Adams; Sen. Lindel Hume; Sen. Vi Simpson; Gary Reding; Randy Edgemon; Ellen Tobias; William Hayden; Lori F. Kaplan; Sandra Miles.

Members Absent: Rep. Ron Herrell; Sen. Beverly Gard; Mayor William Goffinet; Mayor James Trobaugh; Art Smith, Jr.; Kerry Manders.

Representative Jonathan Weinzapfel, Chairperson of the Environmental Quality Service Council (EQSC), called the meeting to order at 1:14 p.m.

Lori Kaplan, Commissioner of the Indiana Department of Environmental Management (IDEM), presented the IDEM Commissioner's Report (Handout #1) to the EQSC. The Report included the following information:

- *An overview of IDEM outreach, education, and assistance programs from October 1, 2001, through June 30, 2002
- *Rulemaking updates
- *Fee collections
- *Permit report cards

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

- *Permit charts
- *Selected IDEM news releases from October 26, 2001, through June 30, 2002
- *The IDEM 2002 legislative summary
- *Information concerning the status of administratively extended NPDES permits

Representative Weinzapfel then reviewed the topics assigned to the EQSC for the 2002 interim. Representative Weinzapfel stated the Legislative Council had assigned the following topics to the EQSC:

- * Wetlands (taken from SB 141-2002 concerning the creation of a wetlands study committee.)
- *Vehicle emissions testing in Floyd, Clark, Lake, and Porter Counties

Representative Weinzapfel then said other topics assigned to the EQSC, or that would otherwise be considered by the EQSC in the 2002 interim, included the following:

- *The creation of the Environmental Assistance Authority (from SB 195-2002)
- *The hazardous air pollutant monitoring program (from SEA 259-2002, SECTION 3)
- *IDEM permit fee increases
- *Proposed storm water rules
- *The implementation of SEA 461-2002 concerning onsite waste management districts

Representative Weinzapfel then introduced Dr. Bill Beranek from the Indiana Environmental Institute. Dr. Beranek presented his report concerning wetlands, entitled "Implementing a Wetlands Conservation Policy for Indiana: Preliminary Ideas for Discussion" (Handout #2). Dr. Beranek's report included the following:

- *Suggested principles for an integrated state wetland strategy, including the following:
 - *Avoid filling wetlands wherever possible
 - *Preserve unique wetlands
 - *Focus on restoring wetlands, not on creating them
 - *Provide for no net loss of wetland hydrological functions in any given local area
 - *Increase the habitat function of wetlands on a statewide basis
 - *Net improvement in attaining a desired statewide wetland strategy
 - *Increase the voluntary restoration of permanent wetlands
 - *Increase the amount of voluntarily restored wetlands that for a given number of years are not "jurisdictional"
 - *Develop a coordinated and integrated state wetlands policy
 - *Match state agency expertise and responsibility with its role
 - *Make implementation predictable
 - *Enforce wetland mitigation requirements in a complete and consistent manner
 - *Conduct an inventory of specific wetland locations
- *Components of wetland policy, including the following:
 - *Wetland categorization for state policy (by types, functions, and locations)
 - *Characteristics of the state long term wetland goals and objectives
 - *Evaluating the quality of specific wetlands to implement policies
 - *Allow "no obligation" voluntary interim restoration of wetlands
 - *Ancillary policies to promote state wetland restoration and maintenance
 - *Assignment of state agency responsibilities
 - *Review current statutory and regulatory authority

*Review conflicting policy areas related to wetlands

Ms. Kaplan then distributed an IDEM wetland information packet to the EQSC (Handout #3).

Jim Ray of the Indiana Department of Natural Resources (DNR) then distributed the DNR Indiana Wetlands Conservation Plan to the EQSC (Handout #4).

Representative Weinzapfel then announced he was forming three workgroups and one subcommittee to meet during the 2002 interim. He stated that the three workgroups would concern wetlands and the subcommittee would concern environmental assistance as follows:

- *Wetlands workgroup concerning incentives for permanent or temporary restoration of wetlands
- *Wetlands workgroup concerning qualifying or categorizing wetlands
- *Wetlands workgroup to consider the extent of statutory authority the General Assembly would grant in defining wetlands and private ponds
- *Environmental Assistance Authority subcommittee

Representative Weinzapfel then said the next EQSC meeting would be held on September 5, 2002, at 1 p.m. He stated he planned to hold four other meetings during the 2002 interim as follows:

- *The week of September 9, 2002
- *September 26, 2002
- *The week of October 7, 2002
- *The week of October 21, 2002

Representative Weinzapfel adjourned the meeting at 2:49 p.m.